

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

GREGORY ROYAL,

§

Plaintiff,

§

v.

1:21-CV-1079-DII

COBRA LEGAL SOLUTIONS, LLC and
PAULA DIAZ

§

Defendants.

§

ORDER

Plaintiff filed his complaint in this action with this Court on November 29, 2021. (Dkt. 1).

To date, however, there is no indication that Plaintiff has served Defendants with the complaint and summons. “If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time.” Fed. R. Civ. P. 4(m). Well over than 90 days have passed since Plaintiff filed his complaint.

On May 8, 2023, the Court ordered Plaintiff to show cause as to why his claims should not be dismissed under Rule 4(m) on or before June 8, 2023. (Dkt. 8). Although Gregory moved to extend this time until August 12, 2023, (Dkt. 16), he has still not served Defendants or taken any other action to advance this litigation. Because Plaintiff has not shown good cause to extend his deadline to serve Defendant, the Court must dismiss this action under Rule 4(m). Fed. R. Civ. P. 4(m).

IT IS THEREFORE ORDERED that this action is dismissed without prejudice under Federal Rule of Civil Procedure 4(m).

SIGNED on October 23, 2023.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE